

Notice of Allowability

Application No.

09/515,285

Examiner

Tuan N Nguyen

Applicant(s)

FUKUHISA ET AL.

Art Unit

2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/15/04.
2. ☒ The allowed claim(s) is/are 1-38.
3. ☒ The drawings filed on 2/9/04 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

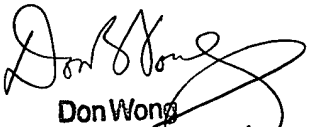
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/15/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Don Wong
Supervisory Patent Examiner
Technology Center 2800

REASON FOR ALLOWANCE

Allowable Subject Matter

1) The following is an examiner's statement of reasons for allowance - Applicant's RCE and IDS filed on March 15, 2004 has been considered, with respect to claims 1, 11, 12, 25, and 35 the references of the record fail to teach or suggest:

A semiconductor laser, comprising: an n-type cladding layer; an active layer formed on top of the n-type cladding layer; a p-type cladding base layer formed on top of the active layer and has p-type conductivity; a current-blocking layer formed on specified parts of an upper surface of the p-type cladding base layer and substantially has n-type conductivity, wherein the current blocking layer includes either $\text{Al}_{0.5}\text{In}_{0.5}\text{P}$ or $(\text{Al}_x\text{Ga}_{1-x})_{0.5}\text{In}_{0.5}\text{P}$, where $0.7 < x < 1$; and p-type buried cladding layer that has p-type conductivity and is formed so as to cover the current-blocking layer and contact remaining parts of the upper surface of the p-type cladding base layer, wherein the current-blocking layer has at least two regions having different concentration (hereafter "N1" and "N2" where $N1 < N2$) of n-type carriers, a region adjacent to an interface between p-type cladding base layer and p-type buried cladding having the N1 concentration of n-type carriers, and a part or all of the remain region of the current blocking layer having the N2 concentration, and the current-blocking layer having a lower refractive index than the cladding base layer and the buried cladding layer.

2) Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2828

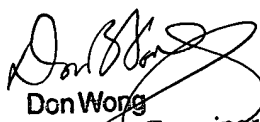
Communication Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan N Nguyen whose telephone number is (571) 272-1948. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3329.

Tuan N. Nguyen



Don Wong
Supervisory Patent Examiner
Technology Center 2800